

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated February 18, 2010 (hereinafter Office Action) have been considered. Claims 1-7, 11-23 and 26-43 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claim 23 is rejected as being directed to a non-statutory subject matter.

While Applicants respectfully traverse the rejection, Claim 23 has been amended to recite “non-transitory computer readable storage medium.” Withdrawal of the rejection is therefore respectfully solicited.

Claims 1-7, 11-23 and 41-43 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0188056 by Kangas et al. (hereinafter “Kangas”). Claims 1-7, 11-23 and 26-43 are rejected based on 35 U.S.C. §102(a) as being anticipated by U.S. Publication No. 2004/0043758 by Sorvari et al. (hereinafter “Sorvari”). Claims 1-7, 11-23 and 41-43 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2004/0224702 by Chasker (hereinafter “Chasker”). Claims 1-7, 11-23 and 41-43 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0136949 by Barnes Jr. (hereinafter “Barnes Jr.”). Claims 1-7, 11-23 and 41-43 are rejected based on 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0136946 by Trossen (hereinafter “Trossen”).

Applicants respectfully traverse the rejections, and submit that the Kangas, Sorvari, Chasker, Barnes Jr., and Trossen references fail anticipate claims 1-7, 11-23 and 41-43. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants present this response with amendment to clarify particular aspects of the claimed invention. These amendments make more clear what is believed to have been originally set forth in these claims, but now states so more specifically.

For example, independent claim 1 has been amended to set forth that the position relevant Web content is associated with a particular location and arranged by location identifiers within the location bookmark area. Independent claims 15, 21, and 23 have been

similarly amended. These amendments are fully supported in the Specification as filed (e.g., page 17, line 28 to page 18 line 19) and no new matter has been added.

Applicants submit that Kangas, Sorvari, Chasker, Barnes Jr., Trossen fail to anticipate the claims as previously presented, and particularly as amended. “[A]n anticipatory reference [must] show all of the limitations of the claims arranged or combined in the same way as recited in the claims, not merely in a particular order.” *Net MoneyIN, Inc. v. Verisign, Inc.*, 545 F.3d 1359 at 1370 (Fed. Cir. 2008). Applicants reiterate the arguments previously made regarding the failure of Chasker, Barnes Jr., and Trossen. These references fail to use the term bookmark, or to otherwise describe any other data or usage thereof that would suggest to a skilled artisan the use of a bookmark. Applicants again submit that these references cannot be reasonably relied upon to teach a location bookmark, arranged or combined in the same way as recited in the claims.

For example, the rejections broadly refer to page 2 of Chasker, page 2 of Barnes, and page 2 of Trossen to teach these claim 1 in its entirety, without any explanation of how or why these excerpts are alleged to teach the claim limitations. (Office Action, page 18, 24, and 30). “During the examination of an application or reexamination of a patent, the examiner should cite appropriate prior art which is nearest to the subject matter defined in the claims. When such prior art is cited, its pertinence should be explained.” M.P.E.P. § 707.05. Applicants submit that the rejections based on Chasker, Barnes Jr. and Trossen are merely generalized allegations that the cited art teaches the Applicants claims, and the pertinence of these references has not been explained. For example, if the Examiner still maintains that these references teach a bookmark or some equivalent, the Applicants respectfully request an explanation of exactly which paragraphs allegedly teach this because Applicants have found no suggestion of such teaching either in the pages cited in the Office Action, or in the references as a whole.

Further, in response to the Applicants prior traversal of these rejections, the Examiner merely states “Chasker, Barnes Jr., Trossen discloses the broadly claimed limitation, i.e., please see the cited portions among other places of the cited art.” (Office Action, page 36) “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it.” MPEP § 707.07(f). Accordingly, Applicants submit that the rejections based at least on Chasker, Barnes, and

Trossen are improper and without basis, and respectfully request withdrawal of the rejections or present more evidence in support of the rejections.

In the present Office Action, the Kangas and Sorvari references are also alleged as teaching all of claims 1-7, 11-23 and 41-43. For example, Kangas is purported as teaching “usage of a storage medium of mobile terminal for storing web services information, SOAP, content server, repository,” (Office Action, page 5) and this alleged teaching is asserted as corresponding to a location bookmark area as recited in independent claims 1, 15, 21, and 23. However, there is nothing in this reference to suggest to a skilled artisan that any stored information is intended to refer to a location bookmark. The only reference to storing data in Kangas relates to device profiles (e.g., Kangas at 0010, 0015, 0024). Nowhere does Kangas teach that “web services information, SOAP, content server, repository” is used for storing position relevant content or location tagged content arranged or combined for future use in a way that a bookmark might be used. For at least this reason Kangas fails to anticipate claims 1-7, 11-23 and 41-43.

Similarly, Sorvari is cited as teaching “usage of a storage medium of mobile terminal for storing web services information, SOAP, content server, repository.” Unlike the other references cited in the rejections, Sorvari explicitly describes “stored bookmark/short-cut data.” (Sorvari, Abstract). Nonetheless, Sorvari fails to teach all the features of claims 1, 15, 21, and 23, particularly as amended. The Office Action does not allege that Sorvari describes position relevant Web content that is associated with a particular location and arranged by location identifiers within a location bookmark area, nor is this taught in Sorvari.

Dependent Claims 2-7, 11-14, 16-21, 22, and 41-43 depend respectively from independent Claims 1, 15, 21, and 23. While Applicants do not acquiesce with the particular rejections to these dependent claims, including any assertions concerning inherency or the taking of Official Notice, these rejections are now moot in view of the remarks made in connection with independent Claims 1, 15, 21, and 23. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from Kangas, Sorvari, Chasker, Barnes Jr., and Trossen

Accordingly, the Kangas, Sorvari, Chasker, Barnes Jr., and Trossen references fail anticipate claims 1-7, 11-23 and 41-43, and withdrawal of the rejections is respectfully solicited. Authorization is given to charge Deposit Account No. 50-3581 (NOKM.092PA) any necessary fees for this filing.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8500 Normandale Lake Blvd., Suite 320
Minneapolis, MN 55437
952.854.2700

Date: May 18, 2010

By: /William B. Ashley/

William B. Ashley
Reg. No. 51,419